

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **William E Hardesty v Department of Corrections**

Docket No. **287671**

L.C. No. **08-000350-AH**

Donald S. Owens, Judge, acting under MCR 7.211(E)(2), orders:

The motion for reconsideration is GRANTED, and the order dated September 17, 2008, is VACATED.

In order for the original action to go forward, **plaintiff shall submit a copy of this order within 21 days of its certification.** By doing so, plaintiff becomes responsible for paying the **\$375.00** entry fee, and he shall not file another civil appeal or original action in this Court until such time that either the Department of Corrections remits or he pays this fee. MCL 600.2963(8). Failure to comply with this order shall result in the complaint for a writ of habeas corpus not being filed in this Court. MCL 600.2963(1).

If plaintiff files this order within the time allotted, monthly payments shall be made to the Department of Corrections in an amount of 50 percent of the deposits made to his account until the payments equal the balance due of **\$375.00**. This amount shall then be remitted to this Court. Again, plaintiff shall not file either an original action or a civil appeal until he pays the above fee. MCL 600.2963(8).

The Clerk of this Court shall furnish two copies of this order to plaintiff.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

NOV 18 2008

Date

*Sandra Schultz Mengel*  
Chief Clerk